

AMERICAN SOCIETY
OF ANESTHESIOLOGISTS,
Washington, DC, June 16, 1999.

Hon. DON NICKLES,
Assistant Majority Leader, U.S. Senate, Wash-
ington, DC.

DEAR SENATOR NICKLES: In my capacity as President of the American Society of Anesthesiologists, a national medical association comprised of 34,000 physicians and other scientists engaged or especially interested in the practice of anesthesiology, I am pleased to offer our endorsement of the Pain Relief Promotion Act of 1999, which I understand you will introduce this week.

Many ASA members engage in a pain management practice, and such a practice regularly includes the treatment of intractable pain, experienced by terminally or severely ill patients, through the prescription of controlled substances. As you are aware, a major concern among these practitioners has involved the possible that aggressive treatment of intractable pain involving increased risk of death—however medically necessary to provide the patient with the best possible quality of life—could be the subject of criminal prosecution as involving alleged intent to cause death.

ASA's House of Delegates has formally expressed the Society's opposition to physician assisted suicide as incompatible with the role of the physician. At the same time, the Society believes anesthesiologists "should always strive to relieve suffering, address the psychological and spiritual needs of patients at the end of life, add value to a patient's remaining life and allow patients to die with dignity".

We find your bill to be fully consistent with these principles, in that (1) it denies support in federal law for intentional use of a controlled substance for the purpose of causing death or assisting another person in causing death, but (2) it includes in federal law recognition that alleviating pain in the usual course of professional practice is a legitimate medical purpose for dispensing a controlled substance that is consistent with public health and safety, even if the use of such a substance may increase the risk of death.

ASA believes that the bill articulates an appropriate standard for distinguishing between assisted suicide and medically-appropriate aggressive treatment of severe pain. Although we have some continuing concern whether law enforcement officers will regularly recognize and honor this critical distinction, we believe much can be accomplished through the education and training programs contemplated by section 102 of the bill. We look forward to the opportunity, during congressional consideration of the bill, to work with you and your staff to strengthen this provision to assure that these programs include input from medical practitioners regularly engaged in a pain management practice.

If we can be of further assistance, please ask your staff to contact Michael Scott in our Washington office, at the address and telephone number listed above.

Sincerely,

JOHN B. NEELD, Jr., M.D.,
President.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. MCCAIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cospon-

sor of S. 26, a bill entitled the "Bipartisan Campaign Reform Act of 1999."

S. 42

At the request of Mr. HELMS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 42, a bill to amend title X of the Public Health Service Act to permit family planning projects to offer adoption services.

S. 242

At the request of Mr. JOHNSON, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 510

At the request of Mr. CAMPBELL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

S. 530

At the request of Mr. GORTON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 530, a bill to amend the Act commonly known as the "Export Apple and Pear Act" to limit the applicability of that act to apples.

S. 579

At the request of Mr. BROWNBACK, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Mississippi (Mr. LOTT) were added as cosponsors of S. 579, a bill to amend the Foreign Assistance Act of 1961 to target assistance to support the economic and political independence of the countries of the South Caucasus and Central Asia.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 664

At the request of Mr. CHAFEE, the name of the Senator from Connecticut

(Mr. DODD) was added as a cosponsor of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 820

At the request of Mr. CHAFEE, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 873

At the request of Mr. DURBIN, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 873, a bill to close the United States Army School of the Americas.

S. 880

At the request of Mr. INHOFE, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 880, a bill to amend the Clean Air Act to remove flammable fuels from the list of substances with respect to which reporting and other activities are required under the risk management plan program

S. 882

At the request of Mr. MURKOWSKI, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 882, a bill to strengthen provisions in the Energy Policy Act of 1992 and the Federal Nonnuclear Energy Research and Development Act of 1974 with respect to potential Climate Change.

S. 1172

At the request of Mr. TORRICELLI, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1172, a bill to provide a patent term restoration review procedure for certain drug products.

S. 1244

At the request of Mr. THOMPSON, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1244, a bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

S. 1253

At the request of Mr. INOUE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1253, A bill to authorize the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, to provide financial assistance for coral reef conservation projects, and for other purposes.

S. 1266

At the request of Mr. GORTON, the names of the Senator from Mississippi

(Mr. LOTT), the Senator from Florida (Mr. MACK), and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 1266, a bill to allow a State to combine certain funds to improve the academic achievement of all its students.

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of Senate Resolution 59, resolution designating both July 2, 1999, and July 2, 2000, as "National Literacy Day."

SENATE RESOLUTION 126—EXPRESSING THE SENSE OF THE SENATE THAT APPRECIATION BE SHOWN FOR THE EXTRAORDINARY WORK OF MILDRED WINTER AS MISSOURI TEACHER AND LEADER IN CREATING THE PARENTS AS TEACHERS PROGRAM ON THE OCCASION THAT MILDRED WINTER STEPS DOWN AS EXECUTIVE DIRECTOR OF SUCH PROGRAM

Mr. BOND submitted the following resolution; which was considered and agreed to:

S. RES. 126

Whereas Mildred Winter has, with determination, expertise, and unflagging energy, dedicated her professional life to early childhood and parent education;

Whereas Mildred Winter began her remarkable career as an educator and leader as a teacher in the Berkeley and Ferguson-Florissant School Districts in Missouri;

Whereas Mildred Winter served as Missouri's first Early Childhood Education Director from 1972 until 1984, during which time the early childhood education services to Missouri families and children improved and increased dramatically;

Whereas Mildred Winter was a leader in initiating the Parents as Teachers program in Missouri in 1981 to address the critical problem of children entering school in need of special help;

Whereas the Parents as Teachers program gives all parents, regardless of social or economic circumstances, the support and guidance necessary to be their children's best teachers in the critical early years;

Whereas Mildred Winter worked to secure passage in the Missouri General Assembly of the Early Childhood Education Act of 1984, landmark legislation which led to the creation of Parents as Teachers programs in Missouri;

Whereas Mildred Winter is recognized as a visionary leader by her peers throughout the country for her unwavering commitment to early childhood education;

Whereas Mildred Winter and the Parents as Teachers program have received numerous prestigious awards at the State and national levels;

Whereas today there are over 2,200 Parents as Teachers programs in 49 States, the District of Columbia, and 6 other countries;

Whereas while continually striving to move the Parents as Teachers program forward, in 1995 Mildred Winter recognized the importance of sharing with parents what is

known about early brain development and the role parents play in promoting that development in their children, and used this foresight to develop the vanguard Born to Learn Curriculum; and

Whereas after nearly 2 decades of leadership of the Parents as Teachers program, Mildred Winter has chosen to step down as Executive Director of the organization: Now, therefore, be it

Resolved,

SECTION 1. RECOGNITION OF MILDRED WINTER.

That it is the sense of the Senate that—

(1) admiration and respect be shown for the visionary and innovative work of Mildred Winter in the field of childhood education; and

(2) appreciation be shown for the work that Mildred Winter has done through the Parents as Teachers program which has enriched the lives of hundreds of thousands of children and provided such children with a far better chance of success and happiness in school and in life.

SENATE RESOLUTION 127—TO DIRECT THE SECRETARY OF THE SENATE TO REQUEST THE RETURN OF CERTAIN PAPER

Mr. LOTT submitted the following resolution; which was considered and agreed to:

S. RES. 127

Resolved, That the Secretary of the Senate is directed to request the House of Representatives to return the official papers on S. 331.

AMENDMENTS SUBMITTED

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

GRAHAM (AND HOLLINGS) AMENDMENT NO. 732

(Ordered to lie on the table.)

Mr. GRAHAM (for himself and Mr. HOLLINGS) submitted an amendment intended to be proposed by them to the bill (S. 1233) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 76 between lines 6 and 7, insert the following:

SEC. 7. INDICATION OF COUNTRY OF ORIGIN OF IMPORTED PERISHABLE AGRICULTURAL COMMODITIES.

(a) DEFINITIONS.—In this section:

(1) **FOOD SERVICE ESTABLISHMENT.**—The term 'food service establishment' means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge, or other similar facility, operated as an enterprise engaged in the business of selling foods to the public.

(2) **PERISHABLE AGRICULTURAL COMMODITY; RETAILER.**—The terms 'perishable agricultural commodity' and 'retailer' have the meanings given the terms in section 1(b) of

the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a(b))

(b) **NOTICE OF COUNTRY OF ORIGIN REQUIRED.**—Except as provided in subsection (c), a retailer of a perishable agricultural commodity imported into the United States shall inform consumers, at the final point of sale of the perishable agricultural commodity to consumers, of the country of origin of the perishable agricultural commodity.

(c) **EXEMPTION FOR FOOD SERVICE ESTABLISHMENTS.**—Subsection (b) shall not apply to a perishable agricultural commodity imported into the United States to the extent that the perishable agricultural commodity is—

(1) prepared or served in a food service establishment; and

(2)(A) offered for sale or sold at the food service establishment in normal retail quantities; or

(B) served to consumers at the food service establishment.

(d) **METHOD OF NOTIFICATION**

(1) **IN GENERAL.**—The information required by subsection (b) may be provided to consumers by means of a label, stamp, mark, placard, or other clear and visible sign on the imported perishable agricultural commodity or on the package, display, holding unit, or bin containing the commodity at the final point of sale to consumers.

(2) **LABELED COMMODITIES.**—If the imported perishable agricultural commodity is already individually labeled regarding country of origin by the packer, importer, or another person, the retailer shall not be required to provide any additional information to comply with this section.

(e) **VIOLATIONS.**—If a retailer fails to indicate the country of origin of an imported perishable agricultural commodity as required by subsection (b), the Secretary of Agriculture may assess a civil penalty on the retailer in an amount not to exceed—

(1) \$1,000 for the first day on which the violation occurs; and

(2) \$250 for each day on which the same violation continues.

(f) **DEPOSIT OF FUNDS.**—Amounts collected under subsection (e) shall be deposited in the Treasury of the United States as miscellaneous receipts.

(g) **APPLICATION OF SECTION.**—This section shall apply with respect to a perishable 37 agricultural commodity imported into the United States after the end of the 6-month period beginning on the date of the enactment of this Act.

RELATING TO PLEDGE OF ALLEGIANCE IN THE SENATE CHAMBER

SMITH (AND McCONNELL) AMENDMENTS NO. 733

Mr. SMITH of New Hampshire (for himself and Mr. McCONNELL) proposed an amendment to the resolution (S. Res. 113) to amend the Standing Rules of the Senate to require that the Pledge of Allegiance to the Flag of the United States be recited at the commencement of the daily session of the Senate; as follows:

On page 2, line 4, strike all after "Presiding Officer" and insert "or a Senator designated by the Presiding Officer, leads the Senate from the dais in reciting the